

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board  
Tuesday April 15, 2008 2:00 p.m.  
Utah State Office of Education  
250 East 500 South  
Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Sheila Page – Attorney General’s Office, Alan Bachman – Attorney General’s Office, Jake Jacobson – DFCM, Kate McConaughy – Work Activity Center, Gary Knapp – Enable Inc., Charlee Wallace – Columbus Community Center, Dean Hoffman – Columbus Community Center, Terri O’Toole – State Purchasing, Steve Mascaro – Utah Works, Don Uchida – Utah State Office of Rehabilitation, Christine Jones - UACS

**Welcome and Introductions and Approval of Minutes**

Steve Richards conducted the meeting. Douglas Richins motioned for approval of the minutes of the board meeting held on January 14, 2007. Don Uchida seconded that motion. The minutes were approved unanimously.

**Discussion of the Boards Role in the Administration of State Set Aside Contracts**

Douglas Richins opened the discussion to determine what the board’s role is relative to the administration of contracts awarded by the board and if necessary the cancellation of a contract. He had invited legal counsel to assist in determining the board’s role. Assistant Attorney General Sheila Page said that after reviewing our statute it seems short and unfortunately doesn’t address these specific issues. She said that while the board does have a vital role in awarding these contracts, the statute is pretty silent in what to do after those contracts are awarded. She suggested that at a future date the legislature may want to clarify those issues. She said that currently, it falls to the state’s chief procurement officer to deal with contract problems, including cancellation. If a contract that was set aside is subsequently cancelled, then the process would then come back to this board where the contract process starts all over again. Ms. Page also stated that you would believe that if you awarded a contract that you would also be able to terminate a contract but that is not the statutory scheme in the State of Utah. She suggested if the board decides to propose legislative changes to clarify these issues then Felise Thorp Moll in the Attorney General’s office would be the attorney the board needs approach to help suggest the revisions. Ms. Page suggested that the board is established as an advisory board and to set policy the board needs to be given rulemaking authority. Steve Mascaro said he would be more than willing to take these recommendations to Senator Killpack so he can follow up on some amendments to the Board’s Statute. Ms. Page reminded that under the current law the chief procurement officer’s determinations (including contract cancellation) are subject to appeal to either the Procurement Appeals Board, or into district court. There was a healthy discussion on this subject.

### **Discussion by the Board Delineating the Role of the Community Non-Profit Agency (CNA)**

Steve Mascaro presented a handout entitled “Duties Assigned to be Performed by Appointed Community Not-For-Profit (CNA)” Mr. Mascaro invited the board to review the handout and then our next meeting agenda will include an agenda item to review, amend and formalize an agreement on the duties. It was suggested that the CNA be more involved in quality assurance and mediating disagreements between the contracting parties. Mr. Richins suggested that the CNA could assist in insuring the contracts are signed timely citing an example where a CRP was performing a contract months before the contract was presented to him for signature. Generally agencies are told not to all the start of a service until the contract is signed.

Charlee Wallace from Columbus Community Center provided an update on the document shredding and recycling program that is now being rolled out under state contract PA376.

### **Next Meeting**

The next meeting was scheduled for Tuesday June 3, 2008 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board**

**Monday January 14, 2008 2:00 p.m.**

**Utah State Office of Education**

**250 East 500 South**

**Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Steve Mascaro – Utah Works, Robert Daniels – PARC, Charles Goodman and Bob Hunt – Utah State Development Center, Don McKinnon and Lee Gifford – Davis Behavioral Health, Jake Jacobsen – DFCM, Dean Hoffman & Bradley Collings – Columbus Community Center, Gavin Gill & Dallas Whitney – Eckardt & Company, Kathy Burton and Helen Shreve – Department of Corrections

**Welcome and Introductions and Approval of Minutes**

Steve Richards conducted the meeting. Douglas Richins motioned for approval of the minutes of the board meeting held on December 10, 2007. Don Uchida seconded that motion. The minutes were approved unanimously.

**Second Reading Items**

**Utah State Development Center Grounds Maintenance Contract – East Birch Creek**

East Birch Creek withdrew their proposal. Douglas Richins will work with Terri O'Toole and the contract will be awarded to the low bidder in the procurement process, Eyre Landscaping.

**Other Items**

**Follow Up Discussion on the Farmington Adult Probation and Parole Custodial Contract**

Helen Shreve expressed her concerns with the higher bid from Diversified Employment even though the CRP lowered their bid from \$1,064.64 to \$893.26 (per month). This is still 25% higher than the lowest bidder, Eckardt & Company. She performed the due diligence that the board requested in the last meeting and reported that Eckardt is a responsible and reliable company. Douglas Richins moved that this contract not be set aside to a CRP due to the fact that it is not a reasonably competitive price and will be awarded through the competitive bid process (to Eckardt & Company). Don Uchida seconded his motion and it was unanimously approved.

**Discussion on How CRP's Can Learn About Procurement Opportunities Not Currently Listed on the Board's Website of Current Contracts**

There was a discussion on how the CRP's could find other potential contracts that they could bid on. Douglas Richins suggested that the CRP's (or a representative) could come to the Division of Purchasing and look through the state's contract files and see if there were any contracts that they might be interested in bidding on in the future. He also stated that the same could be done to access opportunities in school districts, colleges & universities, city governments and county

governments. Mr. Richins also suggested that the CRP's go to RFP Depot and review the History of bids the State of Utah has issued in the past two years to identify the contracts that they may be interested in.

### **A Report on the State Shredding and Recycling Contract from Columbus Community Center**

Jake Jacobsen reported that things are going very well so far with the recycling aspect as it is being rolled out on Capitol Hill. Recycle bins have been placed in many areas in the Capitol and more placements will be made on Capitol Hill as other bins to come in. They are still working out the collection process and procedures.

### **Next Meeting**

The next meeting will be on Monday March 10, 2008 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board**

**Monday December 10, 2007 2:00 p.m.**

**Utah State Office of Education**

**250 East 500 South**

**Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Larry Hall – Utah Air National Guard, Arden Lubeck – Columbus Community Center, Kate McConaughy – Work Activity Center, Gary Knapp – Enable Industries, Lee Gifford – DEO, Bob Daniels – PARC, Christene Jones – UACS, Janet Autrey – Tri-Connections, Dean Hoffman – Columbus Community Center, Jared Janes – East Birch Creek, Helen Shreve – Department of Corrections, Terri O’Toole – State Purchasing, Brad Collings – Columbus Community Center, Steven Mascaro – Utah Works, Linda Crawford – DFCM, Charles Goodman – USDC

**Welcome and Introductions and Approval of Minutes**

Steve Richards conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on November 6, 2007. Douglas Richins seconded that motion. The minutes were approved unanimously.

**Second Reading Items**

**State Shredding and Recycling Contract – Columbus Community Center and Enable Industries**

An overview of the proposal for shredding and recycling services was presented. Following discussion, the potential supplier offered a clarification on the pricing of recycling on page five of the proposal. It will read as “The charge is \$30.00 per pickup or 4 cents per pound whichever is greater.” Douglas Richins made a motion that this contract be set aside and awarded to Columbus Community Center and Enable Industries. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approximately \$200,000. This contract will employ about 20 to 30 individuals and will be in place on April 1, 2008.

**Utah State Development Center Grounds Maintenance Contract – East Birch Creek**

Charles Goodman from the Development Center expressed his concerns with disabled people using lawn equipment around the very fragile clients that stay at the Utah State Development Center. He also expressed concern with the price proposed by East Birch Creek which was significantly above the price bid by the current contractor, Eyre Landscaping. He also stated that he was very happy with the services and cost of the current vendor. Christene Jones suggested that Dr. Kelner, the director of the Utah Division of Services for People with Disabilities might want to have input into the contract because of the positive impact on employing people with disabilities. Douglas Richins made a motion that we table this item and put it on the next month’s agenda and invite Dr. Kelner from Utah State Development Center to come and express his perspective at the next meeting. It was unanimously approved.

### **First Reading Items**

**Air National Guard Janitorial Services – Columbus Community Center** (Second Reading also) Utah Correctional Industries is no longer able to clean this building. Columbus Community Center has been meeting with the Air National Guard. Larry Hall stated that they are just waiting on the Wing Commander's approval. Douglas Richins made a motion that this proposal be read for the first and second time and that we set the janitorial contract for this facility aside to Columbus Community Center pending the approval of the Wing Commander. Don Uchida seconded that motion and it was unanimously approved. Total annual contract amount \$68,918.00 and will employ 3 full time equivalent (FTE) disabled persons.

### **Other Items**

#### **Briefing on Potential of Roadside Litter Pick-Up Contracts with UDOT – Steve Mascaro**

Utah Correctional Industries is no longer able to do this contract with UDOT. Steve Mascaro has been meeting with Tracy Montano, UDOT's Procurement Director. Debra Boulton from UDOT is getting the scope of work together so that a proposal can be prepared by CRPs. This could potentially employ around 60 to 70 people. Mr. Mascaro is optimistic about this potential project.

#### **Discussion on Janitorial Services at the Adult Probation and Parole Building in Farmington**

This project went out for bid and we received 8 Proposals. An amendment was sent out informing potential bidders that this project could be a potential set aside. Diversified Employment came in 3<sup>rd</sup> place, at a fairly significant increase over the low bidder. Corrections would prefer to take the low bidder in this case. Steve Mascaro presented his concerns that the low bidder might not be able to fulfill the contract at the price bid. Douglas Richins moved that we put this item on the agenda for the first and second reading at our next meeting in January, and asked Terri O'Toole and Helen Shreeve to do more research on the viability of the low bidder. It was unanimously approved.

### **Next Meeting**

The next meeting will be on Monday January 14, 2008 at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board  
Tuesday November 6, 2007 2:00 p.m.  
Utah State Office of Education  
250 East 500 South  
Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Ephraim Dickson – Fort Douglas Museum, Christene Jones – UACS, Jim Crosby – PARC, Gary Knapp – Enable Industries, Jake Jacobsen – DFCM, Linda Crawford – DFCM, Terri O'Toole – State Purchasing, Lee Gifford – Diversified Employment, Don McKinnon – Diversified Employment, Brad Collings – Columbus Community Center, Dean Hoffman – Columbus Community Center, Jared Jaynes – East Birch Creek, Gary Crebbs – East Birch Creek, Kate McConaughy – Work Activity Center, Janet Autrey – Tri-Connections Inc., Maria Stahla – OLAG, Claire Gee - Ft. Douglas National Guard, Todd Valline – Ft. Douglas National Guard

**Welcome and Introductions and Approval of Minutes**

Steve Richards conducted the meeting. Douglas Richins motioned for approval of the minutes of the board meeting held on September 18, 2007. Don Uchida seconded that motion. The minutes were approved unanimously.

**Second Reading Items**

**Ogden Regional Center Janitorial Services – Diversified Employment** – Douglas Richins made a motion that this facility be set aside to Diversified Employment. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approx. \$99,000 and will employ 4 full time equil. (FTE) disabled persons.

**Ogden 2<sup>nd</sup> District Court Janitorial Contract – Enable Industries** – Douglas Richins made a motion that this facility be set aside to Enable Industries. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approx. \$89,500 and will employ 3 full time equil. (FTE) disabled persons.

**Ogden 2<sup>nd</sup> District Juvenal Court Janitorial Contract – Enable Industries** – Douglas Richins made a motion that this facility be set aside to Enable Industries. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approx. \$31,200 and will employ 1 full time equil. (FTE) disabled person.

**First Reading Items**

**State Shredding and Recycling Contract – Columbus Community Center and Enable Industries** – Douglas Richins made a motion that this proposal has been read for the first time and that it will be brought up in January's meeting. Don Uchida seconded that motion and it was unanimously approved.

**Utah State Development Center Grounds Maintenance Contract – East Birch Creek** – After a brief discussion Douglas Richins recommended that we put an amendment out on this RFP letting other bidders know that other CRP's have expressed an interest in servicing this facility and through the reference of the law this project may be set aside. Don Uchida made a motion that we consider this proposal read for the first time and that we put the second reading on the December agenda. It was unanimously approved.

**First and Second Reading for Fort Douglas Museum Janitorial Contract – Columbus Community Center** – Douglas Richins made a motion that this proposal be read for the first and second time and that this facility be set aside to Columbus Community Center. Don Uchida seconded that motion and it was unanimously approved. The annual contract amount is approx. \$4,600 and will employ .2 full time equil. (FTE) disabled persons.

**Confirming Enable Industries Assignment of the Brigham City Regional Center Janitorial Contract**

There was a brief discussion confirming this assignment. The annual contract amount is approx. \$113,200 and will employ 5 full time equil. (FTE) disabled persons.

**Status Report from Jake Jacobsen on the Open Bids on Farmington Public Safety Building that Affected Diversified Employment Services and the Capitol Complex Bids that Affected PARC**

**Farmington Public Safety Building** – This project was bid out with the competitive bid process. Diversified Employment Services was the only bidder on this project and so it was awarded to them. The annual contract amount is approx. \$8,700 and will employ .2 full time equil. (FTE) disabled persons.

**Capitol Complex Building** – DFCM indicated that this project was bid out through the competitive RFP process. The proposals came in within budget. The awarded contractor is Dawes Janitorial because they had the best proposal taking into consideration price and the other evaluation factors. The contract is approximately \$536,000 per year. This compared with the set aside proposal from PARC which was \$1.9 million annually. (The board decided in the October meeting to not set-aside the Capitol Complex.)

**Next Meeting**

The next meeting will be on Monday December 10<sup>th</sup> at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.



**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board  
Tuesday October 2, 2007 2:00 p.m.  
Utah State Office of Education  
250 East 500 South  
Salt Lake City, Utah**

**Members Attending:**

Don Uchida, Douglas Richins

**Excused**

Steve Richards

**Visitors**

Alan Bachman – Attorney Generals Office, Terri O’Toole – State Purchasing, Janet Autrey Tri-Connections Inc., Dean Hoffman – Columbus Community Center, Steve Mascaro – Utah Works, Robert Daniels – Utah Works, Jake Jacobson – DFCM, Linda Crawford – DFCM, Don McKinnon – Diversified Employment, Lee Gifford – Diversified Employment, Jim Crosby – PARC, Gary Knapp – Enable Industries

**Welcome and Introductions and Approval of Minutes**

Don Uchida conducted the meeting. Douglas Richins motioned for approval of the minutes of the board meeting held on September 18, 2007. Don Uchida seconded that motion. The minutes were approved unanimously.

**Second Reading Items**

**Farmington Public Safety Building Janitorial Services – Proposal from Diversified**

**Employment Opportunities** – Due to lack of information Douglas Richins made a motion that we allow DFCM to put this job out for bid and that the vendors would be notified that this bid may be a set aside. Don Uchida seconded that motion and it was unanimously approved.

**Brigham City Regional Janitorial Services – Proposal from Enable Industries** – Gary Knapp agreed to do the complete scope of work for the price submitted. Douglas Richins made a motion that this facility be set aside to Enable Industries. Don Uchida seconded that motion and it was unanimously approved.

**Ogden 2<sup>nd</sup> District Court Janitorial Services – Proposal from Enable Industries** – Jake Jacobsen suggested that we move this proposal to the next meeting. Douglas Richins made a motion that we move this proposal to the next meeting. Don Uchida seconded that motion and it was unanimously approved.

**Ogden Juvenile Court Janitorial Services – Proposal from Enable Industries** – Jake Jacobsen suggested that we also move this proposal to the next meeting. Douglas Richins made a motion that we move this proposal to the next meeting. Don Uchida seconded that motion and it was unanimously approved.

### **First Reading Items**

**Ogden Regional Center Janitorial Services** – Douglas Richins made a motion that this proposal has been read for the first time. Don Uchida seconded that motion and it was unanimously approved.

**State Capitol Complex – Proposal from PARC** – Douglas Richins made a motion that we allow DFCM to put this job out for bid and that the vendors will also be notified that this bid may be a set aside. Don Uchida seconded that motion and it was unanimously approved.

### **Finalize Process Time Flowchart**

Douglas Richins made a motion that the final version of the time flowchart be approved. It was unanimously approved.

### **Next Meetings**

The next meeting will be on Tuesday November 6<sup>th</sup> at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board  
Tuesday September 18, 2007 2:00 p.m.  
Utah State Office of Education  
250 East 500 South  
Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Alan Bachman – Attorney Generals Office, Terri O’Toole – State Purchasing, Janet Autrey Tri-Connections Inc., Dean Hoffman – Columbus Community Center, Christene Jones – UACS, Steve Mascaro – Utah Works, Robert Daniels – Utah Works, Jake Jacobson – DFCM, Linda Crawford – DFCM, Kate McConaughy, Work Activity Center.

**Welcome and Introductions and Approval of Minutes**

Steve Richards, the board chair conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on August 20, 2007. Douglas Richins seconded that motion. The minutes were approved unanimously.

**Second Reading**

None

**First Reading**

**Farmington Public Safety Building Janitorial Services** - Douglas Richins made a motion and Don Uchida seconded the motion that this bid will be considered read for the first time if it is sent to the proper people within 24 hours.

**Brigham City Regional Janitorial Services** - Don Uchida made a motion and Douglas Richins seconded the motion that this bid be moved to the second reading.

**Ogden 2<sup>nd</sup> District Court Janitorial Services** – Douglas Richins made a motion and Don Uchida seconded the motion that this bid be moved to the second reading.

**Ogden Regional Center Janitorial Services** – Steve Mascaro asked if we could hold off on this bid until the next meeting.

**Ogden Juvenile Court Janitorial Services** – Don Uchida made a motion and Douglas seconded the motion that this bid be moved to the second reading.

**Discussion on the Content and Format for Proposals on Janitorial Services and Process for Submission – Linda Crawford**

Linda Crawford handed out a CRP Proposal Check-Off List. After a healthy discussion and a few changes Don Uchida made a motion and Douglas Richins seconded the motion to approve the changes that were made.

### **Review and Finalize Process Time Flowchart**

Don Uchida made a motion that we finalize the flowchart during the next meeting.

### **Next Meetings**

The next meeting will be on Tuesday October 2<sup>nd</sup> at 2:00. The meeting will be held at the Utah State Office of Education, 250 East 500 South, Salt Lake City, Utah.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board Meeting  
Tuesday May 1, 2007 2:00 p.m.  
Columbus Community Center  
3495 South West Temple  
Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Shaun Davis – RB Davis & Company, Ramon Herrers – RB Davis & Company, Janet Autrey Tri-Connections Inc., Ben Crosby – Work Activity Center, Gary Knapp – Enable Industries, Dean Hoffman – Columbus Community Center, Christene Jones – UACS, Steve Mascaro – Utah Works, Jake Jacobson – DFCM, Linda Crawford – DFCM, Andy Turrubiardez – Lasting Impressions, Sheri Shields – ESG, Terri O’Toole – State Purchasing, Brett Maglery – Certified Shred, Diane Maglery – Certified Shred

**Welcome and Introductions and Approval of Minutes**

Steve Richards, the board chair conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on April 3, 2007. The motion was approved unanimously.

Steve Mascaro is the new Director of Utah Works

Certified Shred has provided services for the State of Utah for four years. Currently they have \$85,000 in container costs. If they loose the contract four employees will have to be laid off. Certified Shred uses people with disabilities to sort paper from Life Skills. About 1/3 of their business is through state contracts. A percentage of the current contract is on site shredding. It was decided to discuss this topic in the next meeting.

Mr. Davis stated that 50% of their business is with the State and that their business had adversely been affected by set asides.. RB Davis has a current annual loss of over \$100,000. They previously serviced Department of Human Services Administration and the UDOT Building in Orem. Now the state is looking at setting aside the Provo Regional Building.

Mr. Turrubiardez from Lasting Impressions provides janitorial services. Their company lost the contract with Department of Workforce Services in Logan. Mr. Turrubiardez also expressed a concern with the states set asides.

Mr. Jacobsen expressed concern with Tri-Connections receiving a set aside for Provo Regional Building. Tri-Connections have not performed any services on a building of this size. DFCM would like to see a year of their performance evaluations before recommending a set aside for the Provo Regional Building. It was decided to extend the current contract with RB Davis for an additional year.

There was a discussion on the \$5 million set aside amount.

**First Reading**

**Proposal from TURN to Provide Janitorial Services at the Department of Workforce Services Building in St. George**

Mr. Richins made a motion to have this proposal read for the first and second reading. TURN is to provide janitorial services at Department of Workforce Services in St. George. DFCM recommended setting aside \$11,873 per year

**Other Business**

At the next meeting Mr. Jacobsen would like to discuss potential percent? set aside of Janitorial contracts. Mr. Mascaro will meet with Mr. Jacobsen and Mrs. Crawford in the interim. Mr. Jacobsen wondered why the CRP Proposals come in at 3% more than the current contract.

**Next Meeting**

The next meeting is scheduled for Monday, June 4, 2007 at 2:00 p.m. The meeting will be held at the USOE Rehabilitation Center. ( Note – this meeting was subsequently canceled.)

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board Meeting  
Tuesday April 3, 2007 2:00 p.m.  
Enable Industries  
2640 South Industrial Drive  
Ogden, Utah 84401**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Linda Crawford - DFCM, Dean Hoffman - Utah Works & Columbus Community Center, Christene Jones – UACS, Robert Daniels - PARC, Gary Knapp - Enable Industries, Janet Autry – Tri Connections, Inc., Kate McConaughy – Work Activity Center

**Welcome and Introductions and Approval of Minutes**

Steve Richards, the board chair conducted the meeting. With one change Don Uchida motioned for approval of the minutes of the board meeting held on February 6, 2007. The motion was approved unanimously.

There was a discussion on the intent of legislation relative to what happens at the end of a 5 year set aside. The discussion clarified that at the end of the contract period the board would review and determine if the set aside should continue. It was emphasized that the law allows for preference but does not allow for sub-standard performance.

**Second Reading**

Columbus Community Center Proposal for Janitorial Services at the Adult Parole and Probation Building on Fremont Ave. Salt Lake City (DFCM)

Linda Crawford indicated that DFCM had met with Columbus regarding this project and felt comfortable with having this set aside. There was a motion made to consider the Columbus Community Center Proposal read for the first and second time.

Mr. Richins motioned to set aside the subject Adult Probation and Parole Building for this contract period and award the contract to Columbus. The annual amount of this contract is \$23,299.

**Update on Performance Bonding or Irrevocable Letter of Credit Requirements for Janitorial Contracts with DFCM**

Douglas Richins and Linda Crawford reported on a meeting that was held with DFCM management regarding performance security for janitorial contracts. DFCM requires performance bonds for contracts exceeding \$100,000. The bond only needs to be written for the one year contract amount. DFCM will accept Performance Bonds or Irrevocable Letters of Credit for contracts less than \$ 100,000. The bond or letter of credit needs to be written for the one year contract amount. Mr. Richins briefed the board that it would be acceptable for a bondable CRP to submit a proposal naming one of the smaller CRP's as a sub-contractor as long as the contract was written in the name of the bondable CRP and they ultimately retained responsibility for the

contract. DFCM wants to know of the contractor/subcontractor relationship upfront in the proposal. Mr. Uchida motioned that a letter from the bonding company or bank indicating that the vendor is able to provide a bond or letter of credit should be submitted with the proposal for the first reading.

### **New Business (First Reading)**

Utah Works and Tri-Connections have been reviewing the janitorial services requirement at the Provo Regional Building. Tri-Connections indicated their interest in submitting a detailed proposal to provide janitorial services for the soon to expire DFCM contract at the Provo Regional Center. Mr. Richins motioned to consider this the first reading on Tri-Connections proposal to have the Provo Regional Building set aside. A detailed proposal will be submitted to DFCM and the board members. Mr. Richins authorized DFCM to extend the current contract until August 30, 2007.

A joint proposal was received from Columbus Community Center and Enable Industries to provide office paper destruction services (shredding, recycling) to replace the current State Cooperative Contract PD1718 which will expire August 31, 2007. Mr. Uchida motioned to consider this as the first reading of the potential set aside of this contract. The information will be referred to the Division of Purchasing for their review. The current contract is with Certified Shred.

Christine Jones mentioned that Turn is interested in providing janitorial services at a Department of Workforce Services building in St. George. Mrs. Jones will bring the proposal to the May meeting.

A Janitorial University for CRP's will be held May 30 and 31<sup>st</sup> and June 1<sup>st</sup> at PARC. They invited the board members to stop by during the seminar.

Following the meeting the board had a tour of Enable Industries. Mr. Richins and others also then accompanied Mr. Knapp to the IRS Building to review their janitorial services at that large complex.

### **Next Meeting**

The next meeting was scheduled for May 1, 2007 at 2:00 p.m. The meeting will be held at the Columbus Community Center 3495 South West Temple Salt Lake City, Utah



**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board Meeting  
Monday February 6, 2007 2:00 p.m.  
State Office of Education  
250 East 500 South Room 156  
Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Linda Crawford - DFCM, Jake Jacobsen - DFCM, Dean Hoffman - Utah Works & Columbus Community Center, Christene Jones – UACS, Robert Daniels - PARC, Gary Knapp - Enable Industries, Janet Autry – Tri Connections, Inc. Don McKinnon – Diversified Employment, Kate McConaughy – Work Activity Center

**Welcome and Introductions and Approval of Minutes**

Steve Richards, the board chair conducted the meeting. Don Uchida motioned for approval of the minutes of the board meeting held on January 8, 2007. The motion was approved unanimously.

Linda Crawford from DFCM distributed a document titled “DFCM Janitorial Contract Management” She and Jake Jacobsen discussed the process of inspection and contract compliance review for DFCM Janitorial contracts.

**Updated Process Flowchart from Utah Works**

Gary Knapp distributed a revised flowchart with changes made from the January 8, 2007 meeting.

**(Second Reading)**

Proposal for the Logan Department of Workforce Services Building with Cache Employment  
This proposal is only 2% more than current contractor (Jennco). It is within DFCM’s budget. Annual cost is \$21,012 and the 5 year cost is \$111,555. Douglas Richins motioned, and Don Uchida seconded to set aside this contract. This contract is to start April 1, 2007

Proposal for the Clearfield Department of Workforce Services Building with Diversified  
DFCM requested not setting aside this contract due to the 51% increase in Diversified’s proposal over the current contract. Douglas Richins moved and Don Uchida seconded to decline the set aside to Diversified and release this requirement to a competitive RFP. Linda Crawford will report back.

Proposal for the Orem UDOT Building with TRI Connections Inc.  
DFCM recommends an annual amount of \$34,240 This is lower than budget and the current contract. Don Uchida motioned to set aside this contract. Douglas Richins seconded that motion. This contract is to start May 1, 2007.

Gary Knapp said that the projects set aside so far by the board are equal to 12 full time jobs and will employ 24 disabled individuals.

Dean Hoffman will call Douglas Richins regarding contract usage on trash bags and document shredding. Mr. Richins said he would be happy to provide that information to him.

Jake Jacobsen recommended that the board not consider setting aside Courts buildings to CRPs. Following discussion, it was decided to table a decision on this issue for six months.

**Next Meeting**

The next meeting was scheduled for March 13, 2007 at 2:00 p.m. The meeting will be held at the Work Activity Center, 1275 West 2320 South, West Valley, UT 84119.

**(Note due to a lack of a quorum, the March 13, 2007 meeting was not held).**

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board Meeting  
Monday January 8, 2007 2:00 p.m.  
Room 3150, State Office Building  
Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Linda Crawford - DFCM, Jake Jacobsen - DFCM, Clayton Thomas - Valley Services, Dean Hoffman - Utah Works & Columbus Community Center, Christene Jones – UACS, Robert Daniels - PARC, Gary Knapp - Enable Industries, Kate McConaughy – Work Activity Center, Ben Crosby – Work Activity Center, Janet Autry – Tri Connections, Inc. Don McKennon – Diversified Employment, Terri O’Toole – Division of Purchasing.

**Welcome and Introductions and Approval of Minutes**

Steve Richards, the board chair conducted the meeting. Mr. Richins moved for approval of the minutes of the board meeting held on November 29, 2006. The motion was approved unanimously.

**(Second Reading)**

- Decision Regarding the Work Activity Center Proposal to Provide Janitorial Services at the Dept. of Human Services Administration Building in Salt Lake City

Mrs. Crawford indicated that following DFCM’s review, they supported awarding this contract to the Work Activity Center. Mr. Richins made a motion that the Department of Human Services Administration Building janitorial services contract be the first project that the Purchasing from People with Disabilities Advisory Board set aside. Mr. Uchida seconded that motion and the motion was unanimously approved. The contract will be written so that the work begins on April 1, 2007.

**(First Reading)**

- Proposal from Cache Employment & Training to Provide Janitorial Services at the Dept. of Workforce Service (DWS) Building in Logan.
- Proposal from Diversified to provide Janitorial Services at the Clearfield DWS Building
- Proposal from Tri- Connections to provide Janitorial Services at the Orem UDOT Building

Mrs. Crawford said that DFCM would review the proposals and be prepared to make recommendations to the board at the next meeting. Mr. Richins moved that the board consider these proposals read for the first time, and up for final decision at the February meeting.

**Presentation from Utah Works (The CNA) on a Proposed Process and Timeline to Consider CRP's Interest in Expiring Contracts**

Mr. Knapp distributed a handout and gave a presentation on a flowchart mapping out a proposed process to review and set aside contracts. Following discussion from the board, they asked Mr. Knapp to make the agreed changes and bring the revised flowchart to the next meeting.

**Update on Web Availability of Copies of Current State Contracts for Janitorial and Grounds Keeping Services – Douglas Richins**

Mr. Richins demonstrated the new link to the Purchasing from People with Disability Advisory Board web page. Currently it only includes janitorial Contracts. The maintenance contracts will be included soon. It can be found at this link.

[State DFCM Janitorial and Grounds Maintenance Contracts as of November 15, 2006](#)

**Next Meeting**

The next meeting was scheduled for February 6, 2007 at 2:00 p.m. The meeting will be held at the offices of the Division of Rehabilitation at the State Office of Education – 250 East 500 South in Room 156. Parking is in the back.

**The February 2007 agenda will include the following items:**

(Second Reading) of the proposals for the Logan DWS building with Cache Employment, Clearfield DWS building with Diversified, and the Orem UDOT building with TRI Connections Inc.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board Meeting  
Monday November 29, 2006 2:00 p.m.  
Room 3150, State Office Building  
Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Linda Crawford - DFCM, Jake Jacobsen - DFCM, Steven Mascaro - Valley Services, Clayton Thomas - Valley Services, Dean Hoffman - Utah Works & Columbus Community Center, Christene Jones – UACS, Bob Daniels - PARC, Gary Knapp - Enable Industries, Kate McConaughy – Work Activity Center, Terri O’Toole – Division of Purchasing.

**Welcome and Introductions and Approval of Minutes**

Steve Richards, the board chair conducted the meeting. He provided an opportunity for all to introduce themselves. Mr. Richins moved for approval of the minutes of the board meeting held on October 23, 2006. The motion was approved unanimously.

**Adoption of Central Non-Profit Agency**

The board statute at 63-56-425(3)(a) allows the board to designate a central not-for-profit association (CNA) and assign certain duties to the CNA. Following discussion, Mr. Uchida moved that “Utah Works” be designated as the CNA with the duties to be determined at a future time. The motion was unanimously approved. Christene Jones is the point of contact for the CNA.

**Contract Set-Aside Process**

It was discussed that it would be prudent that contracts to be set-aside be considered in one board meeting (a first reading), and approved or disapproved at a subsequent meeting (a second reading). This process would provide time for appropriate consideration and input from the appropriate contracting state or local government agency, the public, the community rehabilitation programs (CRP) and the CNA. It was discussed that it would be prudent to establish a process and time line for CRPs to indicate interest in submitting a proposal and requesting that a contract be set aside. It was suggested that a first reading happen at least four months prior to the current contract expiration. The CNA was asked to prepare and present a proposed process and time line at the next board meeting.

**Contracts to be Set-Aside (First Reading)**

Several CRPs met with Linda Crawford from DFCM and were provided a walk-through of the headquarters building of the Utah Department of Human Services (DHS) Building at 120 North 200 West, SLC, during the past month. Board members (and DFCM) were given a proposal at the board meeting from the Work Activity Center to provide contract janitorial services at the DHS building. Consideration of setting aside this contract will be on the agenda for the next board meeting. To provide for proper consideration and a potential transition, Mr. Richins

authorized DFCM to negotiate a contract extension with the incumbent contractor until April 1, 2007.

### **Website**

Mr. Richins demonstrated a website that has been created for use by the board and those interested in the board's activities. The website includes links to:

- [Statute](#)
- [Board Members](#)
- [Board Meeting Agenda](#)
- [Board Meeting Minutes](#)
- [List of Community Rehabilitation Programs](#)
- [Services & Products Available from Community Rehabilitations Programs](#)
- [State Janitorial and Grounds Maintenance Contracts as of November 15, 2006](#) (non DFCM)
- State DFCM Janitorial and Grounds Maintenance Contracts as of November 15, 2006
- Contracts Awarded to Community Rehabilitation Programs

The website may be found at this URL:

<http://www.purchasing.utah.gov/main/index.php?module=Pagesetter&func=viewpub&tid=1&pid=43>

Mr. Richins said that the staff of the Division of Purchasing and the staff of DFCM would endeavor to scan and link copies of all state janitorial and grounds maintenance contracts and have them available on this website within the next few weeks. This will create the opportunity for CRPs to review the existing contracts.

### **Next Meeting**

The next meeting was scheduled for January 8, 2007 at 2:00 p.m. The meeting will be held at the offices of the Division of Purchasing – 3150 State Office Building, Capitol Hill, SLC. Mr. Uchida suggested that meetings held during the time of the legislative session be moved off Capitol Hill due to congestion. He volunteered to host the meetings at the Division of Rehabilitation at the State Office of Education.

The January 2007 agenda will include the following items:

- Review and decision regarding the Work Activity Center proposal to provide janitorial services at the DHS administration building;
- Presentation from the CNA on a proposed process and timeline to consider CRPs interest in expiring contracts.

**Minutes of the Meeting of the Utah Purchasing with People with Disabilities  
Advisory Board Meeting  
Monday October 23, 2006 2:00 p.m.  
Room 3150, State Office Building  
Salt Lake City, Utah**

**Members Attending:**

Steve Richards, Don Uchida, Douglas Richins

**Visitors**

Linda Crawford - DFCM, Jake Jacobsen - DFCM, Steven Mascaro - Valley Services, Clayton Thomas - Valley Services, Dean Hoffman - Utah Works – Columbus Community Center, Christene Jones - UACS

**Welcome and Introductions**

Since a chair had not been selected, Mr. Richins conducted this initial meeting. An opportunity was provided for all present to introduce themselves. Mr. Don Uchida is the director of the Utah State Office of Rehabilitation; Mr. Douglas Richins is the director of the Utah Division of Purchasing; and Mr. Steve Richards is the president of Richards Sheet Metal Works, Inc. and was appointed by Governor Huntsman to serve as the third member of the board.

**Review of Legislation Creating the Board and the Board's Responsibilities**

**(Section 63-56-425 Utah Code Annotated)**

Mr. Richins provided a background explanation about the law governing public procurements in Utah. Section 63-56 of the laws of the state of Utah comprises the Utah Procurement Code. It applies to all public entities in the state, with the exception of cities and counties and creations of cities and counties under the interlocal cooperation act. Only certain sections of the Procurement Code apply to "local public procurement units (colleges, universities and school districts). Historically the Procurement Code has included a provision that provided a 5% preference to products and services from community rehabilitation programs. SB59 of the 2006 legislature amended the statute (63-56-425) establishing the Purchasing with People with Disabilities Advisory Board and empowers the board to facilitate the procurement of goods and services from community rehabilitation programs by: 1- identifying goods and services that are available from community rehabilitation programs; 2- approving prices; 3 – developing and maintaining a preferred procurement contract list of identified goods and services; 4- reviewing bids from community rehabilitation programs (CRP); and 5- awarding and renewing specified contracts without competitive bidding. Mr. Uchida pointed out that the statute requires qualified CRP's to be a supported employment program approved by the Utah State Office of Rehabilitation. Supported employment means a person who is working in an environment that is in the community 20 hours per week or more at minimum wage and having a job coach. Supported employment is designed for those with the most significant disabilities.

Mr. Hoffman stated that his program is not a social program but a pure business model. They provide quality work at a fair price and have on time delivery. Their mission is to get people with disabilities employed. This will reduce their use of public funds. They provide all of the training and certifications that individuals need and want to create a business partnership with the state. Mr. Hoffman also stated that a problem with the previous preference law was that after a CRP received a contract, at the end of the contract it went out for bid again.

Mr. Richins pointed out that the statute provides the opportunity for the board to designate a central not-for-profit association to assist the board in several areas. It was decided to table the decision about designating such an association at this point. There was a discussion on the federal NISH program.

Mrs. Jones suggested that maybe there could be a way to flag or give a 6 month notice to the heads of CRPs on expiring contracts so that they have plenty of time to evaluate, prepare and ensure that they can provide quality service.

Mr. Richins distributed a List of Utah Non-Profit, VR Qualified Agencies, which was reviewed and discussed. The list also provided information on the areas the CRPs currently are interested in providing. Mr. Richins suggested that the board identify the most likely areas of contracts that are candidates to be set aside. He suggested that copies of the current contracts in those areas be made available to the CRPs. The CRPs could then evaluate, prepare and submit to the board proposals to fulfill certain contracts.

Janitorial and grounds keeping services were identified as a potential area to evaluate contracts for set aside. The DFCM representatives provided a current list of their upcoming grounds keeping and janitorial contracts. Mr. Richins would like to work with DFCM and the Division of Purchasing's agent who is over janitorial and grounds keeping services to provide copies of the current contracts.

### **Action Items**

It was discussed that one immediate potential set aside contract is for janitorial services at the Dept. of Human Services Administration Building. The DFCM representatives indicated that they would provide Christene Jones with a copy of the current contract to distribute to the CRPs. Mr. Richins said that the current contract for that building would be extended for a few months. This will allow CRPs the opportunity to submit a proposal to perform this service for consideration at the board's next meeting, and a transition time to a CRP, if decided by the board, or if not an appropriate procurement process to be conducted.

### **Next Meeting**

The next meeting will be on November 20, 2006 at 2:00 p.m.